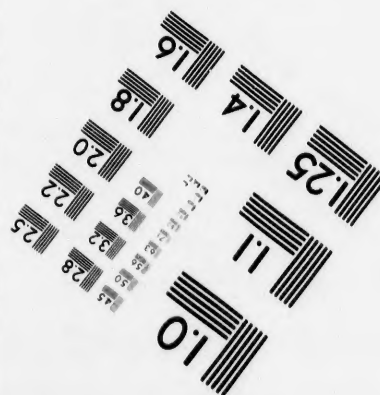
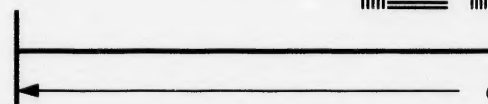
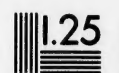


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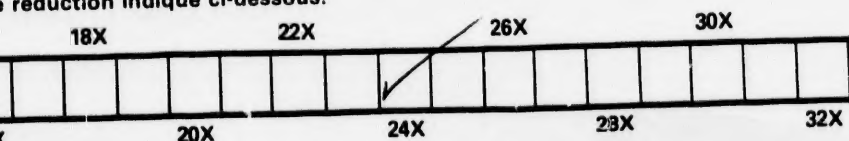
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THE ALASKAN BOUNDARY.

BY
MARCUS BAKER.



M.W.P. May 28, 1962.

THE ALASKAN BOUNDARY.

BY

MARCUS BAKER.

Three score and ten years ago the diplomatic agents of Russia and Great Britain met in St. Petersburg and proceeded to consider and adjust certain outstanding questions as to the respective rights of Russian and British subjects to hunt, fish, trade, navigate, and make settlements in the North Pacific. At the same time and as incidental thereto they agreed upon the sovereignty limits of their respective governments, and in terms defined a boundary line. This line, then and there described and accepted, constitutes the present eastern boundary of Alaska now attracting public attention. It is a line defined upon paper, but not upon the ground. It has never been surveyed or marked. Preparations for its survey and marking have been in progress for some years, and the time has now arrived for concluding preliminaries and agreeing upon some practicable mode of surveying and marking it.

But with the arrival of this time, lo! smoke, metaphorically speaking, in increasing volume appears along the line, drifting across and obscuring it. What for half a century had been clear and plain is now darkened, and through this smoke we discover here and there not the old familiar line with which we and our fathers before us were familiar, but a new and strange line farther west and south, and we see that Alaska has shrunken and British Columbia grown. At this our cheeks flush. Our faith in the friendliness and goodwill of a neighbor who would hint at, much less contend for such a change, is rudely shaken. Suspicion replaces frankness. For amicable arbitration of honest differences, bitter and costly litigation is foreshadowed, and long enduring resentment.

I purpose to set forth as clearly and fairly as I can within the compass of a magazine article, a plain statement of the Alaskan boundary question. And, in so speaking, I speak for myself alone; I speak in no official capacity, and with no other than public knowledge. The facts used are not drawn from the secret archives of any public or private office, but are public property, accessible to any one who will take the trouble to collect and arrange them.

Seldom is an international boundary line drawn into controversy without arousing a sentimental as well as a geographic interest.

And although prediction, as Senator Hoar has well said, "is not yet an exact science," I venture to predict that a very lively interest in, and spread of knowledge concerning Alaska is imminent, aroused and sustained by its boundary question. For, have we not among us the spirit of the Boston tea drinkers who declined the British tea accompanied by its odious tax? Not its *heavy* tax, mark you, but its odious because unjust tax.

All boundary questions are, from their very nature, geographic in character, and no purely geographic matter or question of the slightest complexity can be clearly stated, explained, or understood without maps. If you would know where a boundary is, or what it is, draw it on a map. By so doing its bearings and relations become clear at once. But I believe the lawyers and diplomatists do not make use of such graphic aid. It would be unprecedented. Words, only words, are relied upon to make clear what even a rude diagram would make clearer. But to introduce maps into a treaty defining a boundary, or into a statute, or into a deed of conveyance would be an innovation and an improvement, two things which the law resists with the force of a mighty inertia.

Let us then turn to the maps. For the proper and easy understanding of this matter about a dozen large, selected, typical maps which have been published by Russia, Great Britain, Canada, and the United States in the last 100 years are needful.* But it is impracticable to reproduce them here, and we must content ourselves with a few small maps and diagrams.

First, we have a map of Alaska and the adjoining region (Plate I), which shows the general situation of Alaska, and its relations to Canada and Siberia. The boundary line here shown is the familiar one appearing on all maps from 1825 to 1884, when a rather surprising and startling change was made in the line near its south end, of which we shall speak later.

Second, we have the southeastern strip of mainland and adjacent islands (Plate II), which may for convenience be called the Pan-

* The student who may wish to prosecute the study more fully will find the following maps instructive :

Stanford's Library Map of North America. London, 1886.

U. S. Coast and Geodetic Survey charts T, 8001 and 8050.

Maps in Senate Ex. Doc. No. 146, 50th Cong. 2d sess: Washington, 1889.

Vancouver's atlas. London, 1798.

Maps in Cook's voyage. London, 1784.

Map published by the St. Petersburg Academy of Sciences about 1750, showing the earliest Russian Discoveries in America. Various editions of this map have been published.

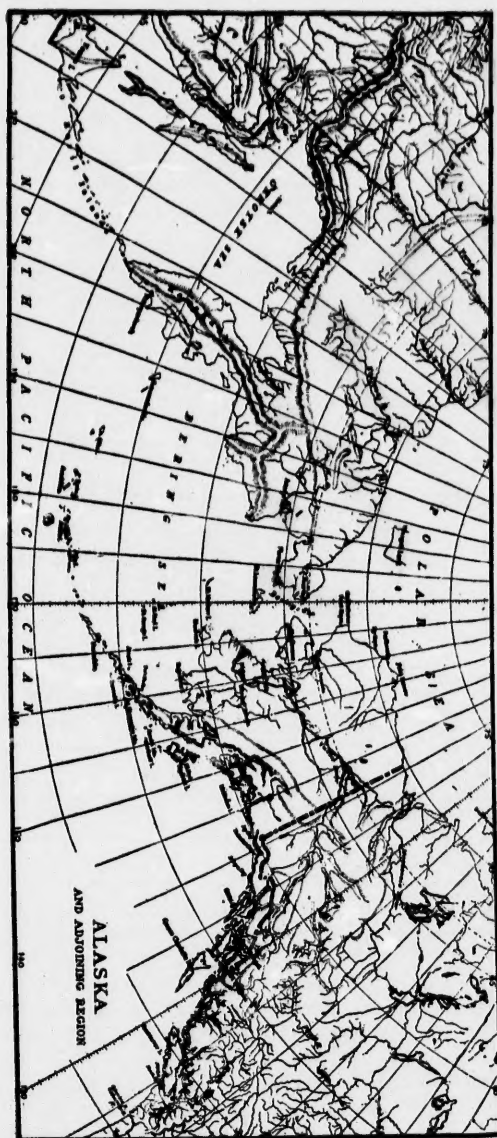
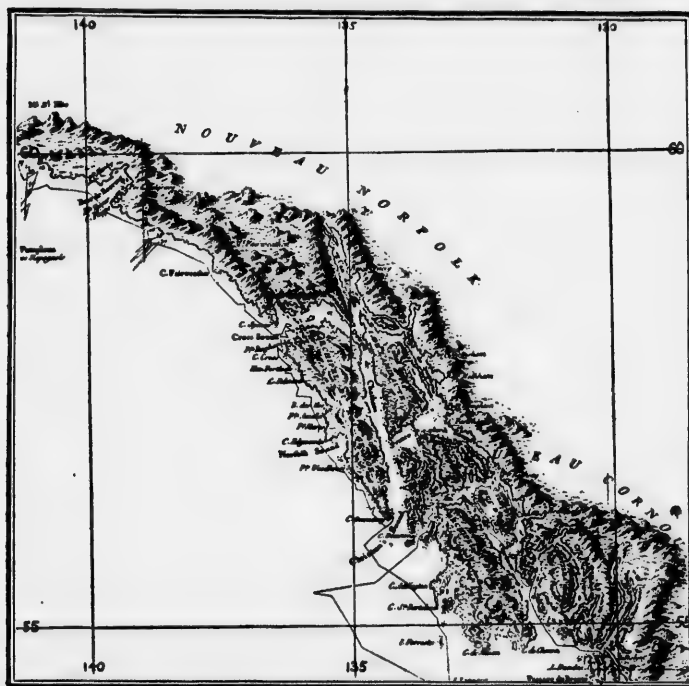


PLATE I.

Strait and Behm Canvl. The *third* line (broken) appeared on another Canadian map in 1887. On this map the line of 1884 was in the northern part moved over so that instead of going around the heads of the inlets and fiords it crossed them leaving their heads on the Canadian side.

Third, we have (Plate III) a photographic reproduction of the French edition of Vancouver's map of the Panhandle. This is the

PLATE III.



SOUTHEASTERN ALASKA FROM VANCOUVER'S ATLAS, 1708.

map which was doubtless used by the diplomatists of 1825 when they framed their description of the boundary line.

The Panhandle is seen to consist of a strip of rugged coast deeply indented by fiords. On or near this strip are the highest of North American mountains. Glaciers of great size and beauty abound and discharge their milky waters and ice masses into nearly every one of the numerous and profoundly deep fiords. In front of and guard-

ing the southern half of this strip is a great group of some 1100 islands. In honor of the Russian Tsar this archipelago received from the U. S. Coast Survey in 1867 the name of Alexander. It is mountainous, timbered, sparsely settled, and picturesque. Its total area, according to our best knowledge, is 14,200 square miles. The area of the strip of mainland comprised in the Panhandle is 34,350 square miles. Thus the area of the Panhandle, including the adjacent islands, is 48,550 square miles, or about that of New York State. The boundary line is either "the summit of the mountains situated parallel to the coast," or if these summits are more than 10 marine leagues (about 35 miles) from the coast, then the boundary is 35 miles from the coast and parallel to its winding. It is obvious, therefore, that surveys and geographic studies are needful to trace the "winding of the coast," and to learn more definitely about the summit of the mountains. Such surveys have been in progress for several years by surveyors of Canada and the United States. For surveys in the Panhandle, to secure information needful for determining the boundary, Congress has appropriated \$50,000. It is an open question of fact as to where the line is, because it is *either* the "summit of the mountains parallel to the coast," *or* a line "parallel to the winding of the coast." This uncertainty is due to the imperfect geographic knowledge existing when the line was agreed upon. Better knowledge being now available, the alternative clause is to be resolved. As a matter of fact, it is to be determined:—Does the range of mountains contemplated by the treaty exist? If it does, then is it anywhere more than 35 miles from the coast? If it does not exist, or is everywhere or anywhere more than 35 miles from the coast, then it is to be determined what constitutes a line parallel to the winding of a very irregular coast line.

After this general introduction I now proceed to a more particular examination of the treaty of conveyance by which the United States acquired from Russia 28 years ago this large northern tract which before 1867 was nameless. The Russians spoke of their possessions in America, and we used the descriptive phrase, *Russian America*. After the sale, however, the descriptive phrase was no longer applicable. Accordingly, it was formally named Alaska.

If one would fully understand an ancient document he must do more than merely read it. It must be studied. Nay more, the conditions preceding and accompanying its production must be examined and understood. The lawyers tell us that if a statute is to be properly construed, there must be considered,

first, the old law, *i. e.*, the law which existed when the statute under examination was enacted; *second*, the mischief which the statute was designed to remove, and *third*, the remedy provided by it. This wise outgrowth of experience will apply with great nicety to the interpretation of treaties. Would that I could carry the reader back to the time and circumstances under which, seventy years ago, the Rt. Hon. Stratford Canning, for England, and the Count de Nesselrode and Pierre de Poletica, for Russia, engaged in a little diplomatic conference, of which Alaska's eastern boundary was one of the results. Little cared they for a few leagues of barren coast. Greater interests were at stake, and now the minor part, Alaska's boundary, for the first time comes forward as the essential matter.

Let us briefly consider the development of the world's knowledge of Alaska, tracing it from the time when, by Bering's discovery in 1741, its first dim outlines began to appear, down to 1825, when the present boundary line was created. We may thus put ourselves in the place of the diplomatists and the people they represented, and be thus the better prepared to understand what they meant by noting carefully what they said and what they omitted to say.

Early in the last century the world did not know whether Asia and North America were united or separated. Certain vague rumors, scarcely traceable to any authentic source, affirmed their separation. Peter, greatest of Russian monarchs, the great Tsar Peter, ill content with this vagueness, determined to dissipate the prevailing ignorance on the subject, and ordered the organization and despatch of a party to find out. Thus originated the first expedition of Bering in 1725. I need not follow the details of the weary walk of two and a half years across Siberia (the North Land) to Okhotsk, the building of two vessels there, and the voyage in them around Kamchatka, to and through the strait that now bears the name of Bering. The report of this voyage carried, not sent, back to St. Petersburg aroused, as usual in such cases, more curiosity than it allayed, and Bering returns for his second and memorable voyage of 1741.

Two little vessels, with pious zeal christened the *St. Peter* and *St. Paul*, were in 1739 built in Okhotsk, and in the spring of 1741 were at Avatcha Bay in Kamchatka, ready for the voyage of discovery to the eastward. In a little harbor in the bay stands the present capital of Kamchatka, named after Bering's vessels, Petropavlovsk. Early in June, 1741, the little vessels, overcrowded with

men, ill provided with supplies and equipment, sailed away to the eastward. The usual story of storm and scurvy and Indian massacre follows. When sixteen days out a storm separated the ships, never to be reunited. July 15, Chirikof sighted land somewhere in what is now Southeastern Alaska, and three days later Bering similarly saw the land and landed somewhere near Kayak Island. Then began the return voyage through those unknown and dangerous regions, which even with our present knowledge are dangerous ground. In August a landing was made upon an island to bury the first sailor who died during the voyage, Shumagin by name, and the name of that group of islands commemorates this fact. Storm-tossed, uncertain of their whereabouts, worn with anxiety, reduced in number by scurvy and bad water, they welcomed the sight of the land where on November 6 they went ashore and decided to winter. A few days later a winter gale drove the *St. Peter* ashore, and in December, Bering, worn out with his labors, care and exposure, died and was buried on the island which has since borne his name. The tidings of this voyage carried back to St. Petersburg sustained and stimulated interest in these geographic matters. About 1750 the Academy of St. Petersburg published a map embodying the geographic results. This was the first map, not purely fanciful, to be made of this region. It was extensively copied, and for about forty years remained the best existing map of that region.

The next great stride in our knowledge of the "lay of the land" we owe to that redoubtable Englishman, Captain Cook, who, while we were in the midst of that memorable seven years' war waged in defence of our inherited and denied English liberties, was engaged in exploration in the Pacific Ocean. To the two great English navigators, Cook and Vancouver, we are indebted for a larger share of our geographic knowledge of the Alaskan region than to any other two men. Cook, in the summer of 1778, outlined in its main features the Alaskan coast from its southernmost point to Icy Cape. The comparison of Cook's map with the St. Petersburg map will interest and instruct any reader who has the good fortune to be able to compare them.

The publication of Cook's voyage revived, I had almost said violently revived, interest in a Northwest Passage. Commerce with China and the East was exceedingly profitable, and accordingly the search for a short cut to the Indies was long pursued and ardently hoped for. Hudson Bay admitted shipping far into the interior of North America. Was there not another Hudson Bay penetrating the opposite coast? Great Britain, ever alive to com-

mercial advantage, felt that Cook's report warranted a further and more minute search. And hence it is that, before Washington was half through his first term, we see the incomparable Vancouver, commanding two ships, the *Discovery* and *Chatham*, outward bound on that memorable voyage of geographic research and diplomatic negotiation. For even then Great Britain had a boundary matter on hand, in this case with Spain. In the three summers of 1792, 1793 and 1794 he traced out and mapped the coast line of Western North America so fully, so carefully, and so accurately that, though a century has since elapsed, his maps remain of certain parts the best there are to this day. No one can fully appreciate or interpret the language of the treaty defining the boundary line without reading it with Vancouver's maps before him, as it doubtless was before the framers of the treaty as they wrote.

The description of the boundary line we are considering was first drawn up in 1825 in a convention between Russia and Great Britain. Between the publication of Vancouver's maps in 1798 and the convention of 1825, some advance in knowledge of the region had been made. Such advance was chiefly in details, little patches of filling in, here and there, and therefore we may be aided in understanding what the diplomatists knew about the region they were dividing by recording a few facts of which they were ignorant.

Already McKenzie had descended the river which bears his name to its Arctic mouth, but between that point and Icy Cape the map was a blank. Whether Alaska and Greenland were united or separated no man knew. All Alaska's interior was a blank on the map. On the Bering Sea coast the researches of Russian naval officers, from 1818 to 1823, had yielded an approximate indication of the coast line left blank by Cook, and had revealed the delta of a mighty river, the Kwikpak or Big river of the Eskimo. Little was known of this river beyond its mouth. That it was identical with the Yukon was unknown till long afterwards. For some years the Yukon is shown as draining into the Arctic Ocean near Point Barrow. At the date of the convention not even this piece of misinformation had got on to the maps. The Russian post at Nulato was not founded till 13 years later, and the English Fort Yukon not till 21 years later. St. Michael Redoubt of the Russians was still in the future. Sitka, however, or New Archangel, as the Russians called it, had been in existence for a quarter of a century, and was the thriving seat of a flourishing fur trade in the Alexander Archipelago.

With such geographic information, or perhaps I should say with

such want of it, it was that the Rt. Hon. Stratford Canning for England and the Count de Nesselrode and Pierre de Poletica for Russia met in St. Petersburg in 1825, to adjust, by diplomatic methods, certain outstanding differences between their respective governments.

I have now dwelt somewhat at length on the development and condition of the geographic knowledge existing when the diplomatists entered upon their conference. For clearly understanding the case it remains to add a brief statement as to the diplomatic situation.

That the high seas belong to no man or nation is an axiom. At least it seems so now. It is interesting therefore to recall that within the memory of men now living the Russian Tsar issued a proclamation, or ukaz as it is called, declaring that all the coast of the North Pacific Ocean and Bering Sea, from northern Japan on the Asiatic coast to southernmost Alaska on the American coast, was Russian territory, and warning all foreign vessels not to approach those coasts within 100 miles, except by reason of distress.

This ukaz was issued in 1821. Cruisers were sent out to enforce it. The brig *Pearl* of Boston was seized. Against this the United States protested. Great Britain also entered her protest. To a liberty loving people such an assumption was intolerable, and it, of course, promptly became a subject of international conference. The first outcome was a convention, three years later, in 1824, between Russia and the United States, by which Russia receded from her position and agreed that the North Pacific should be open to citizens of both nations for fishing, trading, and navigation. Russia agreed to make no settlements south of the famous parallel of $54^{\circ} 40'$, and the United States agreed to make none north of it. Great Britain sought, and the following year obtained, similar concessions. And at the same time, and by the same convention, the present southern and eastern boundary of Alaska was agreed upon. The leading feature of this conference was to obtain for Great Britain the same concessions which Russia had, the year before, made to the United States as to free navigation, fishing and trading in the North Pacific. In the preamble to this convention it is recited that the King and the Tsar, "being desirous of drawing still closer the ties of good understanding and friendship which unite them, by means of an agreement which may settle, upon a basis of reciprocal convenience different points connected with the commerce, navigation, and fisheries of their subjects on the Pacific Ocean, as well as the limits of

their respective possessions on the Northwest coast of America, have named plenipotentiaries," etc. The retraction by Russia of her claim to exclusive jurisdiction in the North Pacific was the main point. Incidentally a boundary line was to be agreed upon, a boundary line passing through a region that with one trifling exception had never been visited by a white man and for all the rest was as much a *terra incognita* as the South Polar region is to-day. To establish such a boundary was the incidental and not the principal object of the convention.

After this rather long though condensed historical introduction, we may now consider the very words used in the convention, reading them in the light of the historic facts and of Vancouver's maps, which, being not only the best, but almost the only maps then available for the purpose, were the ones used by the diplomatists.

The following is an extract from the Treaty by which Russia ceded Alaska to the United States in 1867:

ARTICLE I.

His Majesty the Emperor of all the Russias agrees to cede to the United States, by this convention, immediately upon the exchange of the ratifications thereof, all the territory and dominion now possessed by his said Majesty on the continent of America and in the adjacent islands, the same being contained within the geographical limits herein set forth, to wit: The eastern limit is the line of demarcation between the Russian and the British possessions in North America, as established by the convention between Russia and Great Britain, of February 23-16, 1825, and described in Articles III and IV of said convention, in the following terms:

"Commencing from the southernmost point of the island called Prince of Wales Island, which point lies in the parallel of 54 degrees 40 minutes north latitude, and between the 131st and the 133d degree of west longitude (meridian of Greenwich), the said line shall ascend to the north along the channel called Portland Channel, as far as the point of the continent where it strikes the 56th degree of north latitude; from this last-mentioned point, the line of demarcation shall follow the summit of the mountains situated parallel to the coast, as far as the point of intersection of the 141st degree of west longitude (of the same meridian); and finally, from the said point of intersection, the said meridian line of the 141st degree, in its prolongation as far as the Frozen Ocean.

"IV. With reference to the line of demarcation laid down in the preceding article, it is understood—

"1st. That the island called Prince of Wales Island shall belong wholly to Russia" (now, by this cession, to the United States).

"2d. That whenever the summit of the mountains which extend in a direction parallel to the coast from the 56th degree of north latitude to the point of intersection of the 141st degree of west longitude shall prove to be at the distance of more than ten marine leagues from the ocean, the limit between the British possessions and the line of coast which is to belong to Russia as above mentioned (that is to say, the limit to the possessions ceded by this convention), shall be formed by a line parallel to the winding of the coast, and which shall never exceed the distance of ten marine leagues therefrom."

In studying the foregoing, attention should be constantly given to Vancouver's maps, of which one is here reproduced (Plate III), taken from the French edition, that being the edition which is supposed to have been used. The treaty is in two languages, French and English, both being signed. Thus, one is not a translation of the other. Both are originals, and they may rather be called two versions and each may help to interpret the other.

✓ The boundary line is to start "from the southernmost point of Prince of Wales Island in latitude $54^{\circ} 40'$." Now, curiously enough, there was no Prince of Wales *island* in this region when the treaty was drawn up. Vancouver had named a large group of islands Prince of Wales *archipelago*, of which the largest island is now called Prince of Wales Island. It is obvious, from an inspection of the map, that no one then knew which was the southernmost point of Prince of Wales Archipelago, Cape Muzon or Cape Chacon. Hence was used "*the southernmost*" as a phrase which would apply to that one which should thereafter be found to fulfil this condition. We now know that the southernmost point is Cape Muzon, and that it is not on Prince of Wales Island at all, but on Dall Island. The line is therefore to start from Cape Muzon. What is its latitude? The diplomatists recognizing the fact that better knowledge might show that this point was not in latitude $54^{\circ} 40'$, provided, in the next clause, that whatever its latitude should thereafter prove to be, in any event the island (which should be archipelago) should belong to Russia (and now to the United States).

The parallel of $54^{\circ} 40'$ passes through Dixon Entrance, the only great break in the island barrier fronting the coast of western North America between Puget Sound on the south and its counterpart, Lynn Canal, on the north. This parallel was already a boundary line agreed upon by Russia and the United States in 1824. It was most natural, therefore, to start with this same parallel the following year when Great Britain and Russia were considering precisely the same matters. After starting from this southernmost point the line is to ascend to the northward along Portland Canal until it strikes the 56th degree of north latitude. Whether *it* refers to the boundary line or Portland Canal has been made a question. A peculiarly forced construction is needed to make it apply to the canal, which does not reach the 56th degree, and is clearly shown on Vancouver's map to terminate some miles south of that parallel. The line on reaching the 56th degree of north latitude is to follow the summit of the mountains parallel to

the coast until it encounters the 141st meridian of west longitude. The diplomatists recognizing the imperfect character of the information upon which they were compelled to rely added an alternative clause, to the effect that, if these mountains of Vancouver's map were farther inland than shown, then the boundary should be a line not more than 10 marine leagues (about 35 miles) from the coast and parallel to its winding.

We now know what the diplomatists did not know about that range of mountains which they saw on the maps before them, assumed to exist in fact, and selected for an international boundary line. It does not exist. No such clearly-defined crest line as Vancouver shows is to be found on the ground. I am not unmindful of the fact that this statement may be denied and elaborately argued. It is beside my present purpose to argue this point, and I therefore dismiss it with this bald statement. The alternative proposition of a line parallel to the coast is therefore to be adopted. In its application the question of coast line from which to measure will assume importance.

The coast line is the one which Vancouver and his recent followers in the Coast Survey have so fully traced out. It is the high-water mark of the briny deep. Vancouver's chief concern was to minutely trace out the continental outline. In this work he patiently followed to their heads the numerous long and deep fiords which indent the coast, and he so followed them because in no other way was it possible to tell whether the land bordering them was part of the continent or of an island near the continent. The waters are salt and very deep, the rise and fall of tide conspicuous, the tidal currents strong. In such a configuration of coast line there can be no question from the standpoint of a geographer or hydrographer as to where the coast line is. It is the high-water mark of tide water. This definition carries the coast line to the heads of the various inlets, canals, and fiords making up this intricate coast line to which the boundary line is to be parallel. It will be a matter for the commission, charged with the duty of settling this boundary matter, to interpret the phrase *parallel to the winding of the coast*. To determine the *intent* of the parties ought not to be difficult, but there is a rich field here for fine-spun casuistry, international law, and sentiment. The boundary line between Massachusetts and New Hampshire affords a parallel case. A boundary line three miles north of the Merrimac River, and parallel to its windings, was, by order of the King in council run out in 1741, and then remained in dispute for 150 years, having been finally accepted by

New Hampshire recently. A similar case is furnished by the so-called Land Grant railroads, where the alternate sections of a strip of land 20 miles wide on each side of the track have been granted. The interpretation in such cases has been held to be that the parallel line is what the mathematicians call an envelope. If such a line is laid down for the Alaska-British Columbia boundary, it would mean that every point on the line was 10 marine leagues from the nearest point on the coast. All points east of it would be more than 10 and all west of it less than 10 leagues from the nearest point on the coast. Such a line is, I conceive, the one which most nearly conforms to the spirit and intent of the treaty.

This interpretation wholly excludes Great Britain from jurisdiction over any of the waters of southeastern Alaska. And she should be so excluded, for she ceded all those waters to Russia in 1825, and we bought them from Russia in 1867. She has never exercised or claimed jurisdiction over any of them. True, an attempt was made in 1834 by the Hudson Bay Company to violate the treaty of 1825, but it failed. The *Dryad*, a vessel of that Company flying the British flag, was in 1834 fitted out, armed, and sent to what is now Fort Wrangell, for the purpose of taking possession in his Majesty's name, and building a fort to control the mouth of the Stikine. But the Russians were alert and a few days or weeks before the English arrived, Lieut. Zarembo, of the Russian navy, had landed, erected a stockade, mounted guns, and unfurled the Russian flag. Great Britain thereupon charged the Russians with violating the treaty of 1825 and demanded satisfaction. This well-known story was told me many years ago by one of the English participants who naively remarked that "when we arrived we looked the situation over, concluded they were too strong for us, counted noses, and sailed away."

When Russia and Great Britain were dividing their possessions in 1825 the existing interests involved were those of two great and rival fur companies, the Hudson Bay Company, and the Russian-American Company. If the range of mountains shown by Vancouver as approximately paralleling the coast actually existed, it would form a natural barrier between territory occupied by Hudson Bay traders coming overland and that similarly occupied by Russian traders approaching by sea and penetrating all the navigable waters of this intricate coast. The Russians had at that time secured actual control of all this coast and the trade on its border, while the English had secured control of the interior trade. So much of the convention of 1825 as relates to territorial division was simply

a formal recognition and declaration of the *status quo*. There can be no doubt that the underlying principles by which the negotiators were guided were to formally define and confirm to each party exclusive jurisdiction and control over those regions of which each had in fact acquired control. This view is sustained by the historic facts, by unquestioned acquiescence for 60 years, by the spirit of the treaty, and by its language, with a single exception. Adopt the ten marine league provision, which is the exception above noted, and there can be no boundary controversy. There will then be left a boundary question, and that question will be the practical one of marking out on the ground a line parallel to the winding of the coast. This is easily done on paper in accordance with common sense and legal precedents. Draw a line such that all points upon it are ten leagues from the nearest point on the coast. Every point on the Alaskan side of it will be less than, and every point on the Canadian side more than, 10 leagues from the coast. Having drawn such a crooked or curved line or series of curves, let the commissioners proceed to straighten out its senseless crooks and substitute a line near enough to it for all practical purposes, and which shall consist of a series of straight lines or lines which can be readily surveyed and marked. Such is the Alaska boundary question.

The American Claim.—The Americans have made no claim. On all American maps, however, and all other maps down to 1884, the line has been drawn along the parallel of $54^{\circ} 40'$ to the mouth of Portland Canal, thence up that canal, thence roughly parallel to the coast to the 141st meridian, and thence north along that meridian to the Arctic Ocean. West of that line Russia and after Russia the United States have always exercised exclusive jurisdiction. Such a line is specifically prescribed by the treaty, and no American student of the subject has ever been able to discover any reason for doubting that line.

The British Claim.—The British have made no formal claim. But as the time approaches for marking the line in accordance with the mutual agreement between Great Britain and the United States, certain Canadian publications are seen to foreshadow not a simple boundary question, but a boundary dispute, and a dispute which promises bitterness if any of the sundry lines which Canadian map makers have drawn in American waters are seriously adopted and contended for. Since 1884 it has been the practice of Canadian and English map-makers to carry the line "from the southernmost point of Prince of Wales Island" up Clarence Strait into Behm Canal, and thence

along that canal to latitude 56° , thus indicating that about 5,000 square miles of territory ceded by Russia to the United States had by this process become British territory. This change was made on an official Canadian map of 1884. As for the rest of the line on that map, it was carried around the head of all inlets, thus leaving those inlets in Alaska. Three years later another official Canadian map appeared in which the northern part of the line was no longer carried around the heads of the inlets, but across them, and the line throughout its extent moved much nearer the coast. It is this pushing the boundary line over on to Alaska territory and away from its old familiar place where the treaty put it that foreshadows the British claim.

Will Great Britain seriously and formally contend for such a change? Will she, under the guise of determining and marking the line in accordance with the spirit and intent of existing treaties, seek by making unwarranted claims to acquire territory? This will be made known ere long. Meanwhile let it be hoped that the newspapers and jingoes are all wrong and that her claim will be just. If just, there can be no boundary controversy; if unjust, no arbitration.

